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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/892,296	06/26/2001	David Eatough	42390P11639	2361
21552	7590	04/07/2005	EXAMINER	
MADSON & METCALF GATEWAY TOWER WEST SUITE 900 15 WEST SOUTH TEMPLE SALT LAKE CITY, UT 84101			GIANOLA, JOHN F	
			ART UNIT	PAPER NUMBER
			2145	
DATE MAILED: 04/07/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/892,296	<b>Applicant(s)</b> EATOUGH ET AL.	
	<b>Examiner</b> John F Gianola	<b>Art Unit</b> 2145	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 01 April 2002.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☐ Claim(s) \_\_\_\_\_ is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 April 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-18 rejected under 35 U.S.C. 102(b) as being anticipated by Farinacci et. al (US Pat. No. 5,519,704).

3. As to Claims 1, 4, and 7:

Receiving a request to perform a task for a plurality of devices over a network (column 5, lines 50-53);

Performing said task using a multicast message communicated over said network (column 5, lines 55-57);

Receiving a request to complete said task from at least one device (see column 5, lines 53-55);

Determining whether said task was completed for said at least one device (see column 5, lines line 60-63); and

Performing said task using a unicast message communicated over said network in accordance with said determination (see column 5, lines 64-67).

4. As to Claims 2, 5 and 13:

Wherein said determining whether said task was completed for said at least one device comprises:

Receiving an identifier for said at least one device;

Searching a task status table using said identifier;

Retrieving a status indicator associated with said identifier; and

Determining whether said task was completed for said at least one device using said status indicator (see column 2, lines 57-63).

5. As to Claims 3, 6, 8, and 11:

Wherein said receiving said request to complete said task from at least one device comprises:

Determining whether said at least one device is in communication with said network; and

Sending said request to complete said task from said at least one device (see (7, ) column 53-55).

6. As to Claim 9:

A storage medium:

Said storage medium including stored instructions that, when executed by a processor, result in receiving a request to perform a task for a plurality of devices over a network (see column 5, lines 50-53), performing said task using a multicast message communicated over said network (see column 5, lines 55-57),

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receiving a request to complete said task from at least one device (see column 5, lines 53-55), determining whether said task was completed for said at least one device, and performing said task using a unicast message communicated over said network in accordance with said determination (see column 5, lines 60-67).

7. As to Claim 10:

Wherein the stored instructions, when executed by a processor, further result in determining whether said task was completed for said at least one device by receiving an identifier for said at least one device, searching a task status table using said identifier, retrieving a status indicator associated with said identifier, and determining whether said task was completed for said at least one device using said status indicator (see column 2, lines 57-63).

8. As to Claim 12:

A storage medium;

Said storage medium including stored instructions that, when executed by a processor, result in receiving a request to send information to a plurality of devices (see column 5, lines 50-53), sending said information to said plurality of devices using a broadcast message (see column 5, lines 55-57), receiving a request for said information from at least one device (see column 5, lines 53-55), determining whether said at least one device received said information, and

sending said information to said at least one device using a unicast message in accordance with said determination (see column 5, lines 60-67).

9. As to Claim 14:

Wherein the stored instructions, when executed by a processor, further result in receiving a request for said information by connecting said at least one device to said network and sending said request for said information from said at least one device (see column 5, lines 60-67).

10. As to Claim 15:

A storage medium;

Said storage medium including stored instructions that, when executed by a processor, result in receiving a request to perform a task for a plurality of devices over a network (see column 5, lines 50-53), performing said task using a multicast message communicated over said network (see column 5, lines 55-57), receiving a request to complete said task from at least one device and an identifier for said at least one device (see column 53-55), searching a task status table using said identifier, retrieving a status indicator associated with said identifier, determining whether said task was completed for said at least one device using said status indicator (see column 2, lines 57-63), and performing said task using a unicast message communicated over said network in accordance with said determination (see column 5, lines 60-67).

11. As to Claim 16:

Wherein the stored instructions, when executed by a processor, further result in receiving said request to complete said task from at least one device by connecting said at least one device to said network, and sending said request to complete said task from said at least one device (see column 5, lines 60-67).

12. As to Claim 17:

A server,

Said server having a task handler module to manage complete of a task for a plurality of target devices using a multicast message;

A plurality of target devices, said plurality of target devices each having a task finisher module to request completion of said task if uncompleted; and

A network to communicate information between said server and said plurality of target devices to complete said task (see column 4, lines 40-47).

13. As to Claim 18:

Further comprising a task handler module for each of said plurality of target devices to complete said task for said plurality of target devices (see column 4, lines 40-47).

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**Conclusion**


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Any inquiry concerning this communication or earlier communications from the examiner should be directed to John F Gianola whose telephone number is (571)272-3848. The examiner can normally be reached on Mon - Fri (8:30 - 5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Valencia Martin-Wallace can be reached at (571)272-6159. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

jfg

  
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PRIMARY EXAMINER